



U.S. Department of the Interior
"To-Be" Trust Business Model
Process Template

Title: Control Land and Natural Resource Use

Identify the process in the "Verb Noun" format. (Ex: Maintain Ownership)

Process Number
UM.4

1. Process Definition *Provide an overview of the process and define its starting and ending points*

1.1 Starts With	The approval of Land use contracts or the approval of Management Units. For non-leased trust land monitoring, the approval of the annual work plan detailing monitoring requirements and scheduling for non-leased trust lands.
1.2 Process Overview	Management Units, both leased and non-leased, are regularly monitored to ensure that use is consistent with current expectations. For a detailed explanation of this process, see the following: UM.4.1 Monitor Management Units UM.4.2 Document Owner's or Special Use UM. 4.3 Assess Management Unit Use UM.4.4 Perform Enforcement Action UM 4.5 Report Land Status Summary UM 4.6 Reconcile Production Reporting
1.3 Stops With	Completed Management Unit assessments and summary reports. The completion of enforcement actions.

2. Trust Business Objectives *Identify the Comprehensive Trust Model strategic goals and business objectives to which this process contributes.*

Goal/Objective
GOAL 4: LAND AND NATURAL RESOURCES MANAGEMENT THAT MAXIMIZES RETURN WHILE MEETING BENEFICIARY DESIRES
OBJECTIVE 4.1: LAND AND NATURAL RESOURCE ASSET PLANS AND STEWARDSHIP STRATEGIES - Develop land and natural resource asset plans and stewardship strategies.
OBJECTIVE 4.2: PRESERVATION AND PROTECTION OF LAND AND NATURAL RESOURCE ASSETS - Preserve and protect the long-term viability of land and natural resource assets consistent with fiduciary duties and with the beneficiaries' intended use of the assets.
OBJECTIVE 4.3: LAND AND NATURAL RESOURCE ASSET BUSINESS MANAGEMENT Manage land and natural resource assets effectively and proactively to obtain



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3. How should Beneficiaries be involved in this process?

Beneficiary Involvement

A beneficiary may monitor and report land and natural resource use.

4. Organizations, Offices and Roles. *Identify the DOI organizations and related roles that should be involved in performing the process.*

4.1 DOI Organizations. *Identify the DOI organizations, offices and individual roles that contribute to this process.*

DOI organizations include the Office of the Secretary, BIA, OST, BLM, MMS, OHA, OSM among others.

Offices include Central Offices, Regional Offices, Agency(Field) Offices, etc.

All individual roles that contribute, in a significant manner, should be identified.

Organization		Role	Contribution
BIA	Agency		<p>Perform onsite agricultural lease monitoring and record data gathered on inspection form. Inspections may include insuring that cropping is occurring as planned and stipulated requirements such weed control are implemented.</p> <p>Perform onsite range inspections and record data gathered.</p> <p>Monitor commercial forests and woodlands for trespass and changes in resource conditions.</p> <p>Perform gauging of oil tanks at pump sites to determine periodic production and prepare run tickets. Inspect the wells at the time of lease expiration to determine if wells are plugged in accordance with lease terms and site is properly reclaimed.</p> <p>Inspect ROWs for erosion.</p> <p>Provide a schedule of lands to be monitored.</p> <p>Review non-contracted land and gather necessary data to assist with determination as to changes to the MU plan.</p>



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Organization		Role	Contribution
			<p>Assess monitoring report to see if activities are in compliance with the plan objectives and lease terms; or in the case of non-contracted lands, if there is a determination of inappropriate resource use.</p> <p>Make a recommendation for sanction</p> <p>Approve or modify a recommendation for a sanction.</p> <p>Implement a sanction once it is approved.</p>
BIA	Agency or Regional Office		<p>Generate land status summary report and distribute to management officials.</p> <p>Evaluate report for assessing trends, program measures and general trust asset work accomplishments.</p> <p>Perform physical site inspection as necessary.</p> <p>Gather or prepare production data.</p> <p>Perform reconciliation.</p> <p>Coordinate exception reconciliation.</p> <p>Prepare Production Reconciliation Report.</p> <p>Perform production accountability audit.</p> <p>Create production reporting adjustment request where appropriate.</p>



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Organization		Role	Contribution
BIA	Central Office		Log receipt of production data. Review and encode production information. Enter production information into land use contract system. Support production exception reconciliation.
BLM	Servicing Office		Provide for lease inspections on a regularly scheduled basis. Gather or prepare production data. Produce production and royalty reports for solids. Send initial lease production notice to MMS. Witness meter calibrations.
MMS	Servicing Office		Levy assessments for incorrect or late reports and for failure to report under 30 CFR 216.40 and 2218.40 MMS. Issue bills for collection when payor over-recoupment has occurred.
OSM	Servicing Office		Determine compliance with Surface Mine Control and Reclamation Act and mine plans. Determine if reclamation is adequate for bond release. Provide Notice of Violations (NOVs) if noncompliance work is identified.
BIA	Office of the Field Solicitor		Review proposed action in major cases of enforcement or legal action.



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Organization		Role	Contribution
OST	Agency		Review proposed action for enforcement and legal action. Assist in major cases of violations where monetary damages are pending.
OST	Central office		Support exception reconciliation. Receive production adjustment request (operator invoice/credit) where appropriate.
Tribe	Tribal courts		Perform prosecution of tribal codes in relation to tribal land use laws.
Compacted or Contracted Tribe	Tribal Program Office		Perform all DOI functions except those considered inherently federal.

4.2 External Organizations. *Identify the non-DOI organizations that support the execution of or contribute to this process.*

External Organization	Contribution
EPA	Conduct environmental inspections for spills, NPDS, UIC air pollution.
Justice Department	Prosecute major cases of violations that exceed certain thresholds.
Independent Production Measurer	Submit production data. Assist in resolving any questions required to encode and record report in integrated land use contract system. Assist in resolving production discrepancies.
Land use contract operator	Submit production report. Assist in resolving any questions required to encode and record report in integrated land use contract system. Assist in resolving discrepancies. Agree to any production adjustment request.



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- 5. Event(s)** *Identify the events or conditions that start the process. Describe each event and indicate the frequency (daily, monthly, quarterly, etc.) in which each event is expected to occur. An event may be an external interaction (a beneficiary submits an application), the expiration of a period of time (a lease is due to expire in 90 days), or the realization of some pre-defined threshold (an IIM account reaches the automatic disbursement threshold).*

Event	Description	Estimated Frequency
Ag- Scheduled or planned monitoring	Wide-area use plans shall detail the frequency and intensity of monitoring of use agreements and non-leased lands	All agricultural leases are monitored once a year.
Ag- Reports of possible non-compliance	Reports of possible non-compliance or trespass are received by servicing office	All reports are investigated.
Range - Scheduled or planned monitoring	Wide area use plans shall detail the frequency and intensity of monitoring of use agreements and non-leased lands	All range units will be inspected three times per year.
Range - Reports of possible non-compliance	Reports of possible non-compliance or trespass are received by servicing office	All reports are investigated.
BLM - Oil and Gas inspection schedule	BLM establishes a strict schedule for lease monitoring	
BIA - Oil and Gas monitoring schedule	BIA program staff will conduct inspection of well site and determine production of oil and gas and record run ticket	
Forest sale activity	Forestry sale will incur many land disturbance activities that need to be monitored such as tree removal to the establishment of haul roads etc.	
Forest trespass	A report of a forestry trespass that may include the unauthorized taking of forestry products.	
Wide-area plan approval	Wide Area plans will indicate additional requirements for administering and monitor scheduling.	Every ten years
Complaint is received	Individuals may report suspected cases of non-contracted use.	Varies
Data and field observations are collected	From field visits to the lands under management and agreements, the data and observations gather are review against plans and agreement requirements to determine compliance	



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Event	Description	Estimated Frequency
A determination of a need for enforcement action	After reviewing assessment reports, a program manager or line official may initiate sanctions.	
Receive production data		Once / month / production contract
Perform site inspection	Program specialist or production engineer physically inspects production site, or site of produced inventory, and gathers or prepares production data as required.	As scheduled.
Integrated data has all required inputs encoded		Once/month/contract
Receive operator production report		Once / month / production contract
Receive Production Accountability Audit request		

6. Inputs and Outputs. *Identify and describe all inputs and outputs related to this process. Inputs are information or materials used during the execution of the process; outputs are materials or information produced by the process.*

6.1 Inputs

Input	Description
Wide-area and management unit plans	Plans describe how the lands are to be managed and for what purpose.
Agreement terms and conditions	Specific agreement requirements for the use.
Agricultural lease	Ag lease terms and stipulations.
Range permit	Range permit terms and stipulations.
Oil and Gas lease	Provides for the terms and conditions of the lease.
Forest management plan	Provides for a high level requirements for the forestry monitoring.
Mine plans	Detailed surface mine plan for coal surface mining.



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Input	Description
Non-contracted use land schedule	A list of all tracts that are non-contracted.
Assessment Reports	Assessment reports are recorded and update land use information
Monitoring Reports	These reports provide for data from onsite observations of land use activities or natural resource conditions.
Land use revenue data	Financial data as to the income derived and distributed owners interest from various use agreements, account receivable in arrears, aging of accounts
Management unit surveys	Natural resources surveys and inventories assessing biological conditions.
Land use contract financial data	Land Use revenues by land use type, location, account type.
Independent production ticket	Ticket of production information produced by independent measurer or recipient of production inventory.
Land use contract	Contract details and terms from integrated land management system. Production-based-revenue terms and production discrepancy tolerances from BIA approved land use contract, or created from monitoring and assessment of the Management Unit (UM.4.1 and UM.4.3).
Funds receivable data	Information related to the source and the status of what contract information has been received in order to record a memo account of remittance receivable on the land use contract, status of any offsetting receipt of royalty funds, status of any funds receipt reconciliation (e.g. royalty reconciliation), and status of any production reconciliation. This information exists for each period as specified in the contract. Production reconciliation status is relevant only to forestry, oil & gas, or mineral contracts.
Independent production valuation	Independent sources for production value, where specified as the basis for revenue in the land use contract. For example, where a separately published rate by commodity and grade is used to value the production volume (industry sources, mercantile commodity exchange, etc.).
Operator Production Report	Production report from operator of land use contract.
Operator Royalty Report, or Fund Remittance Report (by production period)	Report of financial receipts of operator-submitted production-based revenue, escrow account status (e.g. forestry accounts),



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Input	Description
Production accountability audit request	When a production adjustment request has been made, and discrepancies are frequent or large enough to warrant a more detailed investigation and audit of production source data.

6.2 Outputs

Output	Description
Monitoring report	From monitoring activities, information is gathered from onsite inspections of the land resource or use activity.
Ag - Monitoring report	From monitoring activities, information is gathered from onsite inspections of the ag land resource such as cropping, stock counts, weed control, erosion control measures and improvements.
Range - Monitoring report	From monitoring activities, information is gathered from onsite inspections of the grazing unit such as stock counts, brands, cross fencing and weed control.
Oil run tickets	Provides for the production of oil based on the measurement of the oil storage tank at the well site.
Forestry monitoring report	From monitoring activities, information is gathered from onsite inspections of the forest or woodlands to determine current activity is in compliance with sale and non-sale plans.
Incidences of Noncompliance (INC)	BLM issues INC's in accordance to 43 CFR 3163.
Field data and observations	Information gathered from field inspections and surveys that describe actual land use conditions and activities.
Assessment report	This document provides for a determination of needed corrective measures, enforcement actions, new operational support requirements and/or documenting variances to existing plans.
Legal action	Remedies to enforce penalties are prosecuted at the tribal or federal level.
Assessment of damages	Damage assessments to billing to the offending party and/or collection bonds.
Cancellation of use agreement	Use agreements may be terminated for cause in cases of violations to terms and conditions of agreements.



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Output	Description
Tribal or other legal actions and /or involvement	Once enforcement reaches a stage of civil or criminal prosecution then appropriate referrals are made to proper authorities.
Land Status Summary Report	<p>This report contains all data of land use and leasing/permitting and associated financial metrics to further generate numerous detailed and specific summaries. From the land status summary report other reports can be further generated such as owners use report, range unit land schedule, available lands report, consent reports, and program performance tracking data.</p> <p>Reports may include specialized reports illustrating land status information spatially (GIS generated) or by the use of charts to illustrate trends of various program and performance metrics.</p>
Encoded operator production report	Operator production information for a specific production period, with index or reference to the correct underlying DOI land use contract or land base, the quantities, grades/qualities, and time period of production, and references each of these to the terms of the related contract, and date of receipt and date of encoding the production report.
Encoded independent production data	Production information for a specific production site and period, obtained from either BIA or independent measurer or recipient of production. Includes an index or reference to the correct underlying DOI land use contract or land base, the quantities, grades/qualities, and time period of production, and references each of these to the terms of the related contract, and date of receipt and date of encoding the production report.
Funds receivable record	Updated memo receivable amount and status.
Production Reconciliation Report	Describes root cause of exception(s), agreed resolution for adjustments to production and / or remittance.
Production adjustment request	Request issued to source of production report needing modification for the designated production period.
Production Accountability Audit Report	Describes root cause of exception(s), agreed resolution for adjustments to production and / or remittance. Specifies any recommendations for further land or use contract monitoring, or any contract modifications.



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7. Fiduciary and Legal Obligations and Controls

7.1 Obligations

Identify and describe the legal and fiduciary obligations that impact this process. For each obligation, indicate the document or commitment that defines the obligation and the citation (paragraph or section) within the document that pertains to this process.

Obligation	Source	Business Impact
See attached Schedule 1		

7.2 Controls

Identify and describe any controls (enforcement mechanisms) that may be used to ensure that the process adheres to obligations and internal process requirements. Controls may be reviews, audits, segregated duties, etc. Indicate the reason that each control should be introduced (name the obligation that a control is intended to enforce; indicate any controls required to ensure consistency or reliability).

Control	Reason	Description
BIA Leasing Procedure Handbook	Internal control	
BIA Range Handbook	Internal control	
BIA Forestry Handbook	Internal control	
BIA Forestry Inter-Agency Handbook	Internal control	
MMS/MRM Release 1.0 Minerals Revenue Management	Internal control	

8. Mechanisms (Systems of Record)

Identify the mechanisms, or systems, that are needed to support the process (ex: Ownership, Leasing, Workflow Management, Office Filing System, etc.). Indicate the information and activities, relevant to this process, that each system supports.

System Name	Support
Land/lease reporting system (DLRM)	Department-wide system for recording monitoring information and workflow tool for report routing.
MMS royalty system	



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9. Inter-Process Relationships *Identify other trust processes that are related to this process (either predecessors or successors). If applicable, indicate the condition under which the processes are related.*

9.1 Predecessors. *Predecessors are processes that either produce information required by this process or that result in the need to execute this process.*

Process No.	Name	Condition of Relationship
B.2.4	Transfer Inquiry / Request to Appropriate Office	Transfer request to investigate a complaint, such as a trespass on trust lands. Transfer notification of owner's use. Update land use records.
FO.1.3	Reconcile Exceptions and Produce Report	Receive exception report indicating receipts that cannot be posted and help to resolve. Receive deficiency report indicating late payments or underpayment receipts and help to resolve. Non-compliance and reconciliation issues are material or frequent enough to merit an audit.
FO.1.4	Impose Penalties and Generate Notices	Authorize a 10-day show cause notice to be sent to a delinquent or deficient payor. Enforce financial land use contract compliance.
FO.3.3	Reconcile Pre-Disbursement Exceptions	Receive pre-disbursement exception report and help to resolve.
FO.3.6	Reconcile Deficiencies	Receive disbursement report and help to resolve rejections.
FO.5	Reporting and Statements	Reports and statements are available for land use monitoring.
UM.2	Manage Land Use Contract	Finalized land use contracts provide for terms and conditions that require monitoring for contract compliance.



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9.2 Successors. Successors are processes that either use information produced by this process or that must be executed as a result of performing this process.

Process No.	Name	Condition of Relationship
B.3	Communicate Information	Provide the beneficiary with his/her/their land use summary.
B.6.1	Provide Counsel on Asset Options	Participate in the provision of counseling and technical assistance regarding owner or special use to beneficiaries.
B.6.2.3	Beneficiary Involvement for LNR Use and Management	Provide MU use assessment results to the beneficiary. Make notification concerning the condition of land or a trespass on trust lands.
P.2.2.2	Collect Pertinent Data	Summary reports and subsequent updates will provide information to the wide-area planning team.
P.4	Evaluate an Existing Land and NR Plan	Summary reports and subsequent updates will provide information to the wide-area planning team.
FO.1.3	Reconcile Exceptions and Produce Report	Reconcile production report to funds received and help to resolve exceptions and deficiencies.
FO.1.4	Impose Penalties and Generate Notices	Provide production information so that penalties and interest can be charged appropriately. Land use non-compliance issues may result in fines and penalties.
UM.3	Manage Land Use Support Activity	From land use assessments, there may be new requirements to apply land measures to ready the land to future contracting.

10. Comments Summarize any discussion, problems, issues or recommendations that should be considered when reviewing process performance. Category Values (Note, Best Practice, Decision, Problem, Issue, Recommendation)

Category	Comment
Ag - Recommendation	All agricultural leases for annual crops are monitored twice per year providing appropriate funding and staffing is available.
Ag-Recommendation	All agricultural leases are scheduled to begin at the same time of the year.



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Category	Comment
Range - Recommendation	All range units will be inspected three times per year providing appropriate funding and staffing is available.
Mineral – Recommendation	All on-site productions inspections verification will be performed at least once every three years providing appropriate funding and staffing is available.
Issue	Many violations fall below the financial threshold for prosecution particularly in PL 280 States.